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By: **Howard County Delegation, Chair**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Board of Education – Terms and Public Campaign Financing**3 **Ho. Co. 14–23**

4 FOR the purpose of altering the terms of the members of the Howard County Board of
 5 Education; authorizing the governing body of Howard County to establish a system
 6 of public campaign financing for members of the county board of education; and
 7 generally relating to public campaign financing.

8 BY repealing and reenacting, without amendments,
 9 Article – Education
 10 Section 3–701(a) and (c)
 11 Annotated Code of Maryland
 12 (2022 Replacement Volume)

13 BY repealing and reenacting, with amendments,
 14 Article – Education
 15 Section 3–701(d)
 16 Annotated Code of Maryland
 17 (2022 Replacement Volume)

18 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Election Law
Section 13–505
Annotated Code of Maryland
(2022 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

3–701.

(a) (1) The Howard County Board consists of:

(i) Seven elected members; and

(ii) One student member.

(2) The seven elected members shall be elected as follows:

(i) One member from each of the five councilmanic districts in the
county, elected by the voters of that district; and

(ii) Two members at large, elected by the voters of the county.

(c) The seven elected members of the Howard County Board shall be elected:

(1) Beginning in 2020, at the general election every 2 years as required by
subsection (d) of this section; and

(2) As specified in subsection (a) of this section.

(d) (1) (i) The terms of the elected members are staggered as provided in
this subsection.

(ii) Each term of office begins on the first Monday in December after
the election of a member and until a successor is elected and qualifies.

(2) (i) 1. The [term] **TERMS** of office of [each member elected from
a] **THE MEMBERS ELECTED AT THE 2024 ELECTION:**

**A. FROM THE FIRST AND SECOND councilmanic
[district, beginning at the 2020 election,] DISTRICTS [is] ARE 4 years; AND**

**B. FROM THE THIRD, FOURTH, AND FIFTH
COUNCILMANIC DISTRICTS ARE 2 YEARS.**

2. The [term] **TERMS** of office of [each member] **THE TWO
MEMBERS** elected at large[, beginning] at the [2022] **2026** election[, is 4 years] **ARE:**

**A. FOR THE INDIVIDUAL WHO RECEIVES THE
HIGHEST NUMBER OF VOTES, 4 YEARS; AND**

**B. FOR THE INDIVIDUAL WHO RECEIVES THE
SECOND HIGHEST NUMBER OF VOTES, 2 YEARS.**

(ii) The successors to [the]:

1. **THE** offices **OF THE MEMBERS** elected at the [2020 and
2022 elections, respectively, shall serve for a term of 4 years] **2024 ELECTION FROM THE
FIRST AND SECOND COUNCILMANIC DISTRICTS SHALL BE ELECTED AT THE 2028
ELECTION AND EVERY 4 YEARS THEREAFTER AND SHALL SERVE FOR A TERM OF 4
YEARS;**

2. **THE OFFICES OF THE MEMBERS ELECTED AT THE
2024 ELECTION FROM THE THIRD, FOURTH, AND FIFTH COUNCILMANIC DISTRICTS
SHALL BE ELECTED AT THE 2026 ELECTION AND EVERY 4 YEARS THEREAFTER AND
SHALL SERVE FOR A TERM OF 4 YEARS;**

3. **THE OFFICE OF THE MEMBER ELECTED AT LARGE AT
THE 2026 ELECTION WHO RECEIVED THE HIGHEST NUMBER OF VOTES IN THAT
ELECTION SHALL BE ELECTED AT THE 2030 ELECTION AND EVERY 4 YEARS
THEREAFTER AND SHALL SERVE A TERM OF 4 YEARS; AND**

4. **THE OFFICE OF THE MEMBER ELECTED AT LARGE AT
THE 2026 ELECTION WHO RECEIVED THE SECOND HIGHEST NUMBER OF VOTES IN**

1 **THAT ELECTION SHALL BE ELECTED AT THE 2028 ELECTION AND EVERY 4 YEARS**
2 **THEREAFTER AND SHALL SERVE A TERM OF 4 YEARS.**

3 **Article – Election Law**

4 13–505.

5 (a) In this section, “contested election committee” means a contested election
6 committee established under Title 12, Subtitle 3 of this article.

7 (b) (1) **(I)** Subject to the provisions of this section, the governing body of a
8 county may establish, by law, a system of public campaign financing for elective offices in
9 the executive or legislative branches of county government.

10 **(II) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE**
11 **GOVERNING BODY OF HOWARD COUNTY MAY ESTABLISH, BY LAW, A SYSTEM OF**
12 **PUBLIC CAMPAIGN FINANCING FOR MEMBERS OF THE COUNTY BOARD OF**
13 **EDUCATION.**

14 (2) A system of public financing established under paragraph (1) of this
15 subsection may include public financing of a contested election committee.

16 (3) When establishing a system of public campaign financing for [elective
17 offices in the executive or legislative branches of county government] **AN OFFICE UNDER**
18 **PARAGRAPH (1) OF THIS SUBSECTION**, the governing body of a county shall:

19 (i) specify the criteria that are to be used to determine whether an
20 individual is eligible for public campaign financing; and

21 (ii) provide the funding and staff necessary for the operation,
22 administration, and auditing of the system of public campaign financing.

23 (c) A system of public campaign financing enacted under subsection (b) of this
24 section:

25 (1) shall provide for participation of candidates in public campaign
26 financing on a strictly voluntary basis;

(2) may not regulate candidates who choose not to participate in public campaign financing;

(3) shall prohibit the use of public campaign financing for any campaign except a campaign for [county] **LOCAL** elective office;

(4) shall require a candidate who accepts public campaign financing to:

(i) establish a campaign finance entity solely for the campaign for [county] **LOCAL** elective office; and

(ii) use funds from that campaign finance entity only for the campaign for [county] **LOCAL** elective office;

(5) shall prohibit a candidate who accepts public campaign financing from transferring funds:

(i) to the campaign finance entity established to finance the campaign for [county] **LOCAL** elective office from any other campaign finance entity established for the candidate; and

(ii) from the campaign finance entity established to finance the campaign for [county] **LOCAL** elective office to any other campaign finance entity;

(6) shall provide for a public election fund for [county] **LOCAL** elective offices that is administered by the chief financial officer of the county; and

(7) shall be subject to regulation and oversight by the State Board to ensure conformity with State law and policy to the extent practicable.

(d) A system of public campaign financing enacted under subsection (b) of this section may:

(1) provide for more stringent regulation of campaign finance activity by candidates who choose to accept public campaign financing, including contributions, expenditures, reporting, and campaign material, than is provided for by State law;

(2) provide for administrative penalties for violations, in accordance with § 10–202 of the Local Government Article; and

(3) allow a publicly financed candidate to transfer any amount of funds from the candidate’s campaign finance entity to the candidate’s contested election committee.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The terms of the members of the Howard County Board of Education elected from councilmanic districts in office on the effective date of this Act shall expire on December 2, 2024.

(b) The terms of the members of the Howard County Board of Education elected by the voters of the county at large in office on the effective date of this Act shall expire on December 7, 2026.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The governing body of Howard County may not implement a system of public campaign financing under § 13–505 of the Election Law Article as enacted by this Act for any offices of the county board of education to be filled at the 2024 election.

(b) For the 2026 election, the governing body of Howard County may implement a system of public campaign financing under § 13–505 of the Election Law Article as enacted by this Act only for the offices of the county board of education to be filled by the voters of the county at large.

(c) Beginning with the 2028 election, the governing body of Howard County may implement a system of public campaign financing under § 13–505 of the Election Law Article as enacted by this Act for all offices of the county board of education.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.